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EXAMINER	
KIM, YOON YOUNG	
ART UNIT	**PAPER NUMBER**
1723	

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/604,012	MUELLER ET AL.	
	Examiner	Art Unit	
	Yoon-Young Kim	1723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06/20/03*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☒ Claim(s) *21* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 June 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: misspelling of the word showerhead in the title.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1, 2, 11, and 12 rejected under 35 U.S.C. 102(b) as being anticipated by Farley, U.S. Patent No. 6,325,930 B2.

Regarding Claim 1 Farley discloses a showerhead assembly (Fig. 2, #10) which comprises

a hollow body (#22) having an inlet end (#12) and an outlet end (#50),

a face portion (#24), the face portion being disposed at the outlet end of the hollow body and including a receiving aperture (#49) defined within it and further including a plurality of water flow apertures (Col. 3, Lines 31-36) defined within it, and

a filter member (#38), the filter member being insertable within the face portion receiving aperture (#49) to dispose the filter member between the inlet end and the outlet

end of the hollow body (Fig. 2), wherein the filter member is disposed within the showerhead assembly to filter water flowing through the hollow body (Col. 3 Lines 62-66).

Regarding Claim 2, Farley discloses that the showerhead hollow body is axially symmetrical and has a continuous surface with a circular cross section in the axial direction (Fig. 1, 2).

Regarding Claim 11 Farley discloses a showerhead (Fig. 2, #10) which comprises

an outer casing (#22) having a water inlet end (#12) and a water outlet end (#50),

a face member (#24) for covering the water outlet end of the outer casing, the face member including a receiving aperture (#49) and a plurality of water spray apertures (Col. 3, Lines 31-36) defined within it,

means for sealingly securing the face member to the water outlet end of the casing (#62),

a water filter (#38), the water filter being functionally adapted to be insertable within the receiving aperture of the face member, and

means for sealingly engaging the water filter within the receiving aperture of the face member (#54), wherein the filter is disposed within the showerhead outer casing to filter water flowing through the outer casing (Col. 3, Lines 62-66).

Regarding Claim 12, Farley discloses a filter member which includes a plurality of openings (#44, 48) through which water may pass and a filter medium (#46) contained within it.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claim 3-5 rejected under 35 U.S.C. 103(a) as being unpatentable over Farley in view of Douglas et al. U.S. Patent No. 6,796,518 B2.

Regarding Claim 3, Farley discloses a showerhead assembly but does not disclose an inner casing. Douglas teaches a showerhead filter system including an inner casing portion (Fig. 6, #114) that is disposed between the hollow body (#22) and the face portion (#26), the inner casing portion being configured to allow water to pass through it when water enters the inlet end (Fig. 1, #60) of the hollow body and when water is discharged from the water flow apertures (#120) of the face portion.

It would have been obvious to one of ordinary skill in the art to modify Farley by adding the inner casing portion of Douglas to stabilize the filter in the assembly (Col. 5, Lines 1-5).

Regarding Claim 4, Farley does not disclose means for securing the inner casing. Douglas teaches that the hollow body includes means for securing the inner casing portion between the hollow body and the face portion (Fig. 6, #88).

It would have been obvious to one of ordinary skill in the art to modify Farley by adding the element of Douglas to secure the inner casing portion between the hollow body and the face portion (Col. 5, Lines 1-5).

Regarding Claim 5, Farley discloses that the filter member includes a plurality of openings (#44, 48) through which water may pass. Farley does not disclose a plurality of openings through which water may pass in the inner casing. Douglas teaches that the inner casing portion also includes a plurality of openings (#112) through which water may pass, the openings of the filter member (#46) and of the inner casing portion forming a water flow continuum therebetween (Col. 5, Lines 1-5).

It would have been obvious to one of ordinary skill in the art to modify Farley by adding the plurality of openings in the inner casing of Douglas to allow the water to pass from the filter through the inner casing (Col. 5, Lines 1-5).

6. Claim 6-10 rejected under 35 U.S.C. 103(a) as being unpatentable over Farley in view of Douglas as applied to Claim 5 above, and further in view of Groezinger et al. U.S. Patent No. 4,719,012.

Regarding Claim 6, Farley, as modified by Douglas, does not disclose a means for securing the filter member within the face portion. Groezinger teaches a twist on disposable filter wherein the filter member includes means for securing the filter member within the face portion (Fig. 1, #46).

It would have been obvious to one of ordinary skill in the art to modify Farley, as modified by Douglas, by adding the element of Groezinger to secure the filter member to the face portion (Col. 4, Lines 65-68).

Regarding Claim 7, Farley, as modified by Douglas, does not disclose a key and keyway. Groezinger teaches that the filter member securing means includes at least one

key (#46) and at least one cooperating keyway (Fig. 2, #62), the keyway being adapted to receive the key therewithin.

It would have been obvious to one of ordinary skill in the art to modify Farley, as modified by Douglas, by adding the key and keyway of Groezinger to lock the filter member within the inner casing portion (Col. 4, Lines 65-68).

Regarding Claim 8, Farley, as modified by Douglas, does not disclose a spring biasing the filter. Groezinger teaches a spring (#66) means for biasing the filter outwardly of the face portion (#52).

It would have been obvious to one of ordinary skill in the art to modify Farley, as modified by Douglas, by adding the spring of Groezinger to allow for easy removal of the filter (Col. 4, Lines 49-56).

Regarding Claim 9, Farley discloses that the filter member is disposably replaceable (Col. 3, Lines 66-67, Col. 4, Lines 1-2).

Regarding Claim 10, Farley discloses that the face portion (#24) is integrally formed as part of the hollow body (#22).

7. Claim 13-17 rejected under 35 U.S.C. 103(a) as being unpatentable over Farley in view of Groezinger.

Regarding Claim 13, Farley discloses a filter member cavity (inside of #22 and #24) defined within the showerhead. Farley does not disclose a means for securing the filter member. Groezinger teaches that the filter member includes means for securing the filter member (Fig. 1, #46).

It would have been obvious to one of ordinary skill in the art to modify Farley by adding the element of Groezinger to secure the filter member within the filter member cavity (Col. 4, Lines 65-68).

Regarding Claim 14, Farley does not disclose a key and keyway. Groezinger teaches that the filter member securing means includes at least one key (#46) and at least one cooperating keyway (Fig. 2, #62), the keyway being adapted to receive the key therewithin.

It would have been obvious to one of ordinary skill in the art to modify Farley by adding the key and keyway of Groezinger to lock the filter member within the showerhead (Col. 4, Lines 65-68).

Regarding Claim 15, Farley does not disclose a spring. Groezinger teaches a spring (#66) means for biasing the filter outwardly of the face portion (#52).

It would have been obvious to one of ordinary skill in the art to modify Farley by adding the spring of Groezinger to allow for easy removal of the filter (Col. 4, Lines 49-56).

Regarding Claim 16, Farley discloses that the filter member is disposably replaceable (Col. 3, Lines 66-67, Col. 4, Lines 1-2).

Regarding Claim 17, Farley discloses that the face portion (#24) is integrally formed as part of the hollow body (#22).

8. Claim 18-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Farley in view of Groezinger as applied to Claim 14 above, and further in view of Douglas.

Regarding Claim 18, Farley, as modified by Groezinger, does not disclose an inner casing. Douglas teaches that the filter member cavity comprises an inner casing (Fig. 6, #114).

It would have been obvious to one of ordinary skill in the art to modify Farley, as modified by Groezinger, by adding the inner casing of Douglas to stabilize the filter in the showerhead (Col. 5, Lines 1-5).

Regarding Claim 19, Farley, as modified by Groezinger, does not disclose means for securing the inner casing. Douglas teaches means for securing the inner casing between the hollow body and the face member (#88).

It would have been obvious to one of ordinary skill in the art to modify Farley, as modified by Groezinger, by the element of Douglas to secure the inner casing between the hollow body and the face portion (Col. 5, Lines 1-5).

Regarding Claim 20, Farley, as modified by Groezinger, does not disclose that the inner casing is disposed between the outer casing and the face member, allowing water to pass through. Douglas teaches that the inner casing (Fig. 6, #114) is disposed between the outer casing (#22) and the face member (#26), the inner casing portion configured to allow water to pass through it when water enters the inlet end (Fig. 1, #60) of the outer casing and when water is discharged from the water flow apertures (#120) of the face member.

It would have been obvious to one of ordinary skill in the art to modify Farley, as modified by Groezinger, by configuring the water to pass through the inner casing as Douglas teaches to allow the water to come in contact with the filter (Col. 5, Lines 1-12).

Allowable Subject Matter

9. Claim 21 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yoon-Young Kim whose telephone number is (571) 272-2240. The examiner can normally be reached on Monday–Friday, 8:30 am – 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker, can be reached at (571) 272-1151. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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